

GLOBALG.A.P. Risk-Assessment on Social Practice (GRASP)

GRASP Module – Interpretation for Slovakia

V 1.3

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English Version

Developed by Czech Society for Quality



Control Point	Compliance Criteria	Interpretation for Slovakia
EMPLOYEES' REPRESENTATIVE(S)		
1	<p>Is there at least one employee or an employees' council to represent the interests of the staff to the management through regular meetings where labor issues are addressed?</p>	<p>Documentation is available which demonstrates that a clearly identified, named employees' representative(s) or an employees' council representing the interests of the employees to the management is elected or in exceptional cases nominated by all employees and recognized by the management. The election or nomination takes place in the ongoing year or production period and is communicated to all employees. The employees' representative(s) shall be aware of his/her/their role and rights and be able to discuss complaints and suggestions with the management. Meetings between employees' representative(s) and the management occur at accurate frequency. The dialogue taking place in such meetings is duly documented. N/A if the company employs less than 5 employees.</p>
COMPLAINT PROCEDURE		
2	<p>Is there a complaint and suggestion procedure available and implemented in the company through which employees can make a complaint or suggestion?</p>	<p>The employee is entitled to file a complaint to the employer related to the violation of the principle of equal treatment and breach of conditions; the employer is obliged to reply to the complaint of the employee without undue delay, correct the situation, refrain from such behaviour, eliminate its consequences and inform employee about taken measures</p> <p>An employee who believes that their rights or interests protected by law have been affected by the violation of the principle of equal treatment or breach of conditions, they may address the court and claim legal protection stipulated by the special act on equal treatment in certain areas and on protection against discrimination.</p> <p>The complaint procedure, through which employees can make a complaint, must be available on the farm.</p>

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SELF-DECLARATION ON GOOD SOCIAL PRACTICES		
3	<p>Has a self-declaration on good social practice regarding human rights been signed by the management and the employees' representative and has this been communicated to the employees?</p>	<p>The management and the employees' representative(s) have signed, displayed and put in practice a self-declaration assuring good social practice and human rights of all employees. This declaration contains at least commitment to the ILO core labor conventions (ILO Conventions 111 on discrimination, 138 and 182 on minimum age and child labor, 29 and 105 on forced labor, 87 on freedom of association, 98 on the right to organize an collective bargaining, 100 on equal remuneration and 99 on minimum wage) and transparent and non-discriminative hiring procedures and the complaint procedure. The self-declaration states that the employees' representative(s) can file complaints without personal sanctions. The employees have been informed about the self-declaration and it is revised at least every 3 years or whenever necessary.</p> <p>The Slovak Republic has ratified conventions of the International Labor Organization (MOP) adjusting employment relationships and conditions, these conventions take precedence over the Slovak legislation, and employers in the Slovakian territory shall observe these conventions. They include the following:</p> <ul style="list-style-type: none"> Convention No. 11 - Freedom of Association (in agriculture) Convention No. 29 - Prohibition of Forced Labor Convention No. 98 - The right organize and bargain collectively Convention No. 99 - Minimum wage Convention No. 100 - Equal pay Convention No. 11 - Abolition of forced labor Convention No. 111 - Abolition of discrimination Convention No. 135 - The right to representation of employees Convention No. 184 – On occupational health and safety in agriculture
ACCESS TO NATIONAL LABOR REGULATIONS		
4	<p>Do the person responsible for the implementation of GRASP (RGSP) and the employees' representative(s) have knowledge of or access to recent national labor regulations?</p>	<p>The person responsible for the implementation of GRASP (RGSP) and the employees' representative(s) has knowledge of or access to national regulations such as gross and minimum wages, working hours, trade union membership, anti-discrimination, child labor, labor contracts, holiday and maternity leave. Both the RGSP and the employees' representative(s) know the essential points of working conditions in agriculture as formulated in the applicable GRASP National Interpretation Guidelines.</p> <p>Employees shall be entitled to occupational health and safety, and information on dangers resulting from the working process and working environment and on measures ensuring protection against their effects. Employees shall be obliged to take care of their health and safety and the health and safety of the people affected by their activity. In case of an employer with a trade union organisation, the trade union body shall be entitled to control the status of occupational health and security.</p> <p>The employer shall be obliged to regularly, comprehensibly and provably inform every employee on legal regulations and other regulations designed to ensure occupational health and safety, existing and foreseeable dangers and threats, effects these may</p>

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			<p>have on health and how to protect against these dangers and threats. The employer shall be obliged to provide employees and representatives of employee necessary information in an appropriate and comprehensible way on dangers and threats, preventive measures and protective measures.</p> <p>The employer may also introduces preventative measures such as vetting of staff knowledge, competitions and other activities in the field of occupational health and safety.</p>
WORKING CONTRACTS			
5	<p>Can valid copies of working contracts be shown for the employees? Are the working contracts compliant with applicable legislation and/or collective bargaining agreements and do they indicate at least full names, nationality, a job description, date of birth, date of entry, wage and the period of employment? Have they been signed by both the employee and the employer?</p>	<p>For every employee, a contract can be shown to the assessor on request on a sample basis. Both the employees as well as the employer have signed them. Records contain at least full names, nationality, job description, date of birth, the regular working time, wage and the period of employment (e.g. permanent, period or day laborer etc.) and for non-national employees their legal status and working permit. The contract does not show any contradiction to the self-declaration on good social practices. Records of the employees must be accessible for at least 24 months.</p>	<p>The employment relationship is established on the basis of an employment contract concluded by and between the employer and employee. The employer shall be obliged to provide one written copy of the employment contract to the employee.</p> <p>The employer shall be obliged to agree material appurtenances with the employee in the employment contract as follows:</p> <ul style="list-style-type: none"> - type of work the employee is hired for and brief characteristics of the work, - place of work performance (municipality, part of municipality or the place specified in any other way), - day of commencement of work, - wage conditions, unless agreed in the collective agreement. - method and conditions of employments termination <p>The employer shall specify other working conditions in the employment contract as well, including pay periods, working time, number of days of holiday and the period of notice. In the employment contract, other terms and conditions may be agreed that the parties to the contract are interested in, especially further material advantages.</p>
WAGES			
6	<p>Is there documented evidence indicating regular payment of salaries corresponding to the contract clause?</p>	<p>The employer shows adequate documentation of the salary transfer (e.g. employee's signature on pay slip, bank transfer). Employees sign or receive copies of pay slips / pay register that make the</p>	<p>The employer shall be obliged to agree with the employee on pay periods, working time, number of days of holiday and the period of notice in the employment contract.</p> <p>The employer shall be obliged to assign the work to the employee</p>

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		<p>payment transparent and comprehensible for them. Regular payment of all employees during the last 24 months is documented.</p>	<p>in accordance with the employment contract, pay the wage for the work performed, create conditions for the fulfillment of work assignments and observe other working conditions stipulated by legal regulations, collective agreement and the employment contract.</p> <p>The wage shall be paid at the pay periods agreed in the employment contract or collective agreement. With employees who work at home it is possible to agree that the wage will also be paid for the delivery of each completed assigned job.</p> <p>The employer is required to keep records of payments of wages, salaries and payroll sheets, including their recap of the billing period. These documents must be recorded in case of controls. At the request the employer provides the employee with records and documents based on which the salary was calculated.</p>
PAY SLIPS			
7	<p>Do pay slips / pay registers indicate the conformity of payment with at least legal regulations and/or collective bargaining agreements?</p>	<p>Wages and overtime payment documented on the pay slips / pay registers indicate compliance with legal regulations (minimum wages) and/or collective bargaining agreements as specified in the GRASP National Interpretation Guideline. If payment is calculated per unit, employees shall be able to gain at least the legal minimum wage (on average) within regular working hours.</p>	<p>The wage shall be paid at the pay periods agreed in the employment contract or collective agreement.</p> <p>For wage billing purposes the employer shall be obliged to issue the document for the employee especially containing data on the respective components of the wage, respective fulfillments provided in connection with the employment, state of the working time account, wage deductions made and the total labor costs. Upon request, the employer shall provide documents to the employee for inspection on the basis of which the wage was calculated.</p> <p>The salary must not be lower than the minimum wage established by the minimum wage law. Every employee is entitled to a salary the minimum amount of the minimum wage. This law applies to full time employees, but also to secondary employment on agreement on work performance (students job, contract for work etc.).</p> <p>Minimum wage is defined by the Government Regulation and according to the regulation is periodically adjusted</p> <p>The monthly minimum wage – 380 € (40 hour per week),</p>

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			Hourly minimum wage – 2, 184 €
NON-EMPLOYMENT OF MINORS			
8	Do records indicate that no minors are employed at the company?	Records indicate compliance with national legislation regarding minimum age of employment. If not covered by national legislation, children below the age of 15 are not employed. If children -as core family members- are working at the company, they are not engaged in work that is dangerous to their health and safety, jeopardizes their development or prevents them from finishing their compulsory school education.	<p>The Slovak Republic has ratified the Convention of the International labor organization č. 138 concerning Minimum Age for Admission to Employment which specifies the age of 15 as the minimum limit for admission to employment.</p> <p>Work of a natural person at the age of 15 or work of a natural person older than 15 is prohibited until the completion of the compulsory school attendance. Unless provided otherwise below, the ability of a natural person to have the rights and duties of an employee in employment relationships and the ability to acquire these rights through their own legal acts and assume these duties shall commence when the natural person becomes 15 years; however, the employer shall not agree the day preceding the date when the natural person completes the compulsory school attendance as the day of work commencement.</p> <p>The employer shall be obliged to keep records on young employees in the employment relationship. The records shall also contain the date of birth of young employees.</p>
ACCESS TO COMPULSORY SCHOOL EDUCATION			
9	Do the children of employees living on the company's production/handling sites have access to compulsory school education?	There is documented evidence that children of employees at compulsory schooling age (according to national legislation) living on the company's production/handling sites have access to compulsory school education, either through provided transport to a public school or through on-site schooling.	No one may be relieved from the duty of compulsory school attendance. Compulsory school attendance is for ten years and it shall last at maximum to the end of the school year when the student becomes 16 years old unless otherwise provided by this act. Compulsory school attendance shall commence at the beginning of the school year following the day when the child becomes six years old and is able to attend school, unless otherwise specified by this act. Compulsory school attendance shall be fulfilled at primary schools, secondary schools and at schools for pupils with special educational and training needs.
TIME RECORDING SYSTEM			
10	Is there a time recording	There is a time recording system	The employer shall be obliged to keep records of the working

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	system that shows working time and overtime on a daily basis for the employees?	implemented appropriate to the size of the company that makes working hours and overtime transparent for both employees and employer on a daily basis. Working times of the employees during the last 24 months are documented. Records are regularly approved by the employees and accessible for the employees' representative(s).	time, overtime work, work at night, and active and non-active part of on-call time recording the beginning and end of the period of time when the employee performs the work or on-call duty of the employee is ordered or agreed.
WORKING HOURS AND BREAKS			
11	Do working hours and breaks documented in the time records comply with applicant legislation and/or collective bargaining agreements?	Documented working hours, breaks and rest days are in line with applicant legislation and/or collective bargaining agreements. If not regulated more strictly by legislation, records indicate that regular weekly working hours do not exceed a maximum of 48 hours, during peak season (harvest), weekly working time does not exceed a maximum of 60 hours. Rest breaks/days are also guaranteed during peak season.	Working time of the employee is 40 hours per week maximum. The working time within 24 hours shall not exceed 12 hours. The average weekly working time of the employee including overtime work shall not exceed 48 hours. Overtime work shall be performed by the employee as directed by or with the consent of the employer in excess of the specified weekly working time resulting from the working time arrangements specified in advance and performed outside the framework of the work shift schedule. Non-working days shall be the days of the continuous rest of the employee during the week and on holidays.
ONLY APPLICABLE FOR PRODUCER GROUPS INTEGRATION INTO QMS			
QMS	Does the assessment of the Quality Management System (QMS) of the producer group show evidence of the correct implementation of GRASP for all participating producer group members?	The assessment of the Quality Management System of the producer group demonstrates that GRASP is correctly implemented and internally assessed. Non-compliances are identified and corrective actions are taken to enable compliance of all participating producer group members.	
Recommendation for Good Practice			
R 1	What other forms of social benefit does the company offer to employees, their	Please specify (incentives for good and safe working performance, bonus payment, support of professional development, social benefits, child care, improvement of social	Some employee benefits are specified directly in the Labor Code e.g. meal allowances and allowances for education of employees, drinking regime provision..

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families and/or the community?	surroundings etc.).	<p>Other benefits shall include:</p> <ul style="list-style-type: none"> - flexible ways of working - extra holiday - reimbursement of above-standard health care - sick-leave compensation or extra days of for nursing a family member - contributions for cultural events, sport activities or flexi passports - supplementary pension insurance, insurance against accidents - refreshment at work - mobile phone, laptop, company car for private purposes - Care programs for children of employees (Support of nurseries, kindergarten, events for children and family members of employees)

Annex to GRASP Interpretation for Slovakia

Control Point 1:

Labor Code No. 311/2001 Coll. § 229

Control Point 2:

Labor Code No. 311/2001 Coll. § 13

Control Point 3:

International Labor Organization:

http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102717

Control Point 4:

Act on Safety and health at work No. 124/2006 Coll. § 21
Labor Code No. 311/2001 Coll. § 39, 11,
Labor inspection Act No. 251/2005 Coll.
Act on undeclared work and illegal employment 125/2006

Control Point 5:

Labor Code No. 311/2001 Coll. § 42-44
Act on protection of personnel data 122/2013 § 9

Control Point 6:

Labor Code No. 311/2001 Coll. § 42-44, 130
Law on Income Tax No: 595/2003 Coll. § 39

Control Point 7:

Labor Code No. 311/2001 Coll. § 119, 130
Minimum wage law No.663/2007 Coll.
Government Regulation of minimum wage No. 297/2014 Coll.

Control Point 8:

Labor Code No. 311/2001 Coll. 11, 41, 171, 174, 175

Control Point 9:

Education Act No. 245/2008 Coll. § 19

Control Point 10:

Labor Code No. 311/2001 Coll. § 99

Control Point 11:

Labor Code No. 311/2001 Coll. § 84, 85

R1:

Labor Code No. 311/2001 Coll. §151, 153

All legislation and international agreements are always meant as amended.